

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|-------------------------------|---|---------------------|
| JUSTIN HEARD, | : | |
| | : | |
| Petitioner, | : | CIVIL ACTION |
| | : | |
| v. | : | No. 16-308 |
| JOHN E. WETZEL et al., | : | |
| | : | |
| Respondents. | : | |

MCHUGH, J.

FEBRUARY 1, 2017

ORDER

This 1st day of February, 2017, upon careful and independent review of the petition for a writ of habeas corpus and consideration of the thorough and well-reasoned Report and Recommendation filed by U.S. Magistrate Judge Carol Sandra Moore Wells, and in light of the fact that no objections to Judge Wells's R&R have been filed, it is hereby **ORDERED** that:

1. The R&R is **APPROVED** and **ADOPTED**;
2. The petition for a writ of habeas corpus is **DENIED** and **DISMISSED**;
3. Petitioner's request for an evidentiary hearing is **DENIED**;
4. There is no probable cause to issue a certificate of appealability; and
5. The Clerk of Court shall mark this case closed for statistical purposes.

/s/ Gerald Austin McHugh
United States District Judge